

C. REMARKS

Applicants propose to amend the specification and Claim 49 to address issues discussed between Examiner Zurita and the undersigned during a telephone call conducted on April 16, 2007. During that call, the Examiner expressed a desire to Amend Claim 59 to correct a typographical error in the preamble. The correction included changing “computer-implemented method” to “apparatus”. The Examiner also expressed a desire to change the preamble of the computer-readable medium claims to computer readable storage medium, to address the Examiner’s concern over the reference in the specification to carrier waves. The Notice of Allowance mailed on May 1, 2007 included an Examiner’s Amendment to Claim 49 to add “consisting of volatile and non-volatile memory.” The undersigned spoke with the Examiner about this change and requested that it be removed. The Examiner agreed and stated that a Supplemental Notice of Allowance would be issued. To date, a Supplemental Notice of Allowance has not been received, so this amendment is provided to make the changes discussed with the Examiner.

M.P.E.P. 714.16 states that amendments that add new claims after allowance should be accompanied by remarks that fully and clearly state the reasons on which reliance is placed to show: (1) why the amendment is needed; (2) why the proposed amended or new claims require no additional search; (3) why the claims are patentable; and (4) why they were not presented earlier.

(1) Why the amendment is needed. The amendment is needed to correct one or more informalities.

(2) Why the proposed amended or new claims require no additional search or examination. The claims were previously searched and examined as currently amended, so no additional search or examination is required.

(3) Why the claims are patentable. The amended Independent claims are patentable because the amendments herein do not substantively change the scope of any Independent Claim. Dependent claims are patentable at least by virtue of their dependence on allowable Independent claims.

(4) Why they were not earlier presented. The claims as amended herein were not earlier presented because the Applicant was not made aware of the Examiner’s Amendment

until the Notice of Allowance mailed on May 1, 2007. For the foregoing reasons, entry of the amendments and allowance of the application is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

No fee is believed to be due in connection with this paper. However, if any properly applicable fee is missing or insufficient, the Commissioner is hereby authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-1302 and to credit any excess fees to such deposit account.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP



Dated: July 26, 2007

Edward A. Becker
Registration No. 37,777

2055 Gateway Place, Suite 550
San Jose, California 95110
Telephone: (408) 414-1204
Facsimile: (408) 414-1076

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

on

July 27, 2006

by

Tracy Reynolds
Tracy Reynolds